

UNITED STATES BANKRUPTCY COURT

FOR THE

EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In the Matter of:

RIGOBERTO A CRUZ

Debtor

Chapter 13

Case No. 12-11236-RGM

OBJECTION TO CONFIRMATION OF PLAN,
NOTICE OF OBJECTION TO CONFIRMATION OF PLAN
AND
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this objection to confirmation of your Chapter 13 Plan filed March 27, 2012. The cause for this objection is as follows:

Violation of 11 U.S.C. §1325(b)(1)(B) - Disposable Income.

- B22C if filled out correctly, shows \$605.68 of disposable monthly income, yet Plan proposes only 259.49 per month. Trustee's calculations are attached hereto.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

Notice of Objection To Confirmation

Rigoberto A Cruz, Case # 12-11236-RGM

Attend the hearing to be held on May 9, 2012 at 9:30 a.m. in Courtroom #3 on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, Virginia 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: April 20, 2012 _____ /s/Thomas P. Gorman _____

Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 20th day of April, 2012, served via ECF to authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

Rigoberto A Cruz
Chapter 13 Debtor
11620 Vantage Hill Road, Unit 21b
Reston, VA 20190

Robert L. Vaughn, Jr.
Attorney for Debtor
O'Conner & Vaughn, LLC
11490 Commerce Park Dr , Ste. 510
Reston, VA 20191

/s/ Thomas P. Gorman _____
Thomas P. Gorman

B22C Adjustments

In re Rigoberto A Cruz
Case No. 12-11236-RGM

Line Number		Debtor's Figures	Trustee's Figures	Basis For Difference
24B	Health Care	\$144.00	\$60.00	IRS standards for out of pocket costs
27A	Vehicle Operation/public transportation	\$270.00	\$0.00	Only \$160 claimed on Sch. J
38	Total expenses allowed under IRS Stds.	\$2,306.00	\$2,031.00	See above adjustments
51	Total deductions for debt payment	\$2,166.79	\$1,907.32	Mathematical error in Debtor's calculations
52	Total of all deductions from income	\$4,529.00	\$3,994.32	See above adjustments
53	Total current monthly income	\$4,600.00	\$4,600.00	
58	Total adjustments to determine disposable income	\$0.00	\$3,994.32	
59	Monthly Disposable Income Under §1325(b)(2)	\$4,600.00	\$605.68	